

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977



ENROLLED

SENATE BILL NO. 510

(By Mr. Gilligan)



PASSED April 9 1977

In Effect ninty days from Passage



ENROLLED
Senate Bill No. 510

(By MR. GILLIGAN)

[Passed April 9, 1977; in effect ninety days from passage.]

AN ACT to amend and reenact section fifteen, article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the pecuniary interest of county and district officers, teachers and school officials in contracts; exception; offering or giving compensation; penalties.

Be it enacted by the Legislature of West Virginia:

That section fifteen, article ten, chapter sixty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 10. CRIMES AGAINST PUBLIC POLICY.

§61-10-15. Pecuniary interest of county and district officers, teachers and school officials in contracts; exceptions; offering or giving compensation; penalties.

1 It shall be unlawful for any member of a county com-
2 mission, overseer of the poor, district school officer,
3 secretary of a board of education, supervisor or super-
4 intendent, principal or teacher of public schools, or any
5 member of any other county or district board, or for any
6 county or district officer to be or become pecuniarily
7 interested, directly or indirectly, in the proceeds of any
8 contract or service, or in furnishing any supplies in the
9 contract for, or the awarding or letting of, which as such
10 member, officer, secretary, supervisor, superintendent,
11 principal, or teacher, he may have any voice, influence or
12 control: *Provided, however,* That nothing herein shall be
13 construed to prevent or make unlawful the employment of
14 the spouse of any such member, officer, secretary, super-

15 visor, superintendent, principal or teacher as principal or
16 teacher, auxiliary or service employee in the public
17 schools of any county, nor to prevent or make unlawful the
18 employment by any joint county and circuit clerk of his or
19 her spouse. Any person or officer named who shall violate
20 any of the foregoing provisions of this section shall be
21 guilty of a misdemeanor, and, upon conviction thereof, be
22 fined not less than fifty nor more than five hundred dollars,
23 and may, in the discretion of the court, be imprisoned
24 for a period not to exceed one year. In addition to the
25 foregoing penalties, any such officer shall be removed
26 from his office and the certificate or certificates of any
27 teacher, principal, supervisor and superintendent who
28 violates any provision of this section shall upon conviction
29 thereof, be revoked immediately. Any person, firm or
30 corporation that offers or gives any compensation or
31 thing of value or forebears to perform any act whatever
32 to any of the officers or persons hereinbefore named or
33 to or for any other person with the intent to secure the
34 influence, support or vote of such officer or person for
35 any contract, service, award or other matter as to which
36 any county or school district shall become the paymaster,
37 shall be guilty of a misdemeanor, and, upon conviction
38 thereof, be fined not less than five hundred, nor more than
39 twenty-five hundred dollars, and, at the discretion of the
40 court, such person or any member of such firm, or, if it be
41 a corporation, any agent or officer thereof, so offering or
42 giving such compensation, may, in addition to such fine,
43 be imprisoned for a period not to exceed one year.

44 The provisions of this section shall not apply to pub-
45 lications in newspapers required to be made by law.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Laurence C. Chustone Jr.
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

J. C. Mellon, Jr.
Clerk of the Senate

W. Blankenship
Clerk of the House of Delegates

H. C. Brooks Jr.
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within is approved this the 26
day of April, 1977

John D. Rhyne Jr.
Governor



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APPROVED AND SIGNED BY THE GOVERNOR

APR 13 4 44 PM '77
OFFICE OF THE GOVERNOR

Date April 26, 1977
Time 2:50 p.m.

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OFFICE
GOV. OF STATE